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OFFICE OF PETITIONS

In re Application of	:	
Daniel P. H. Wu	:	
Application No. 10/699,267	:	DECISION ON RENEWED PETITION
Patent No. 7,175,193	:	UNDER 37 C.F.R. § 1.182
Filing Date: October 31, 2003	:	
Issue Date: February 13, 2007	:	
Attorney Docket Number: 14016 B	:	
Title: WHEEL BRACKET MECHANISM	:	
FOR AN ELECTRIC WHEELCHAIR	:	
EQUIPPED WITH AUXILIARY WHEELS	:	

This is a decision on the renewed petition filed January 24, 2007, pursuant to 37 C.F.R. § 1.182, requesting that the Office change the name of the sole inventor. Petitioner has requested that the first name of the sole inventor was mistakenly given as "Daniel," when it should be listed as "Donald."

The original petition was filed on May 8, 2006, and was dismissed via the mailing of a decision on January 8, 2007 for failure to include the petition fee in full.

With this renewed petition, Petitioner has submitted the remainder of the petition fee.

It is noted that the present application matured into U.S. Patent No. 7,175,193 on February 13, 2007, less than one month after the filing of this renewed petition.

Consequently, Petitioner will need to submit a certificate of correction, along with the associated fee.

Furthermore, the declaration that was submitted on filing has been reviewed, and it is clear that the declaration lists the inventor's first name as "Daniel." It is equally clear that the inventor signed the name "Daniel p.H. Wu:" the inventor did not sign the name "Donald."

On renewed petition, Petitioner must also provide a statement from the inventor:

- The inventor must explain why the declaration failed to contain his correct name.
- The inventor must further explain why he signed a document that contained the wrong name.
- The inventor must also explain why, if his name his Donald, did he handwrite the name "Daniel."

Moreover, the inventor must also submit proof that his name is in fact Donald, and not Daniel.

Petitioner has asserted that the inventor does not "write or understand English (Roman) characters. He was not aware that the name was misspelled." However, Petitioner does not possess firsthand knowledge of the events surrounding the inventor's mindset when the declaration was executed, and as such, a statement of facts from the inventor is required.

It follows that this petition must be **DISMISSED**.

Any reply must be submitted within **TWO MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are permitted. The reply should include a cover letter entitled "Second Renewed Petition Under 37 C.F.R. § 1.182." This is not a final agency action within the meaning of 5 U.S.C § 704.

The second renewed petition should indicate in a prominent manner that the attorney handling this matter is Paul Shanowski, and may be submitted by mail¹, hand-delivery², or facsimile³. Registered users of EFS-Web may alternatively submit a response to this decision via EFS-Web⁴.

1 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

2 Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

3 (571) 273-8300- please note this is a central facsimile number.

4 <https://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html>

If responding by mail, Petitioner is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything else to the address will delay the delivery of the response to the undersigned.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225⁵. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

⁵ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.